

Department of Planning and Development

Diane M. Sugimura, Director

MEMORANDUM

To: Councilmember Tom Rasmussen, Chair, HHS&H Committee
Councilmember Sally Clark
Councilmember Richard McIver

From: Diane Sugimura, Director
Karen White, Code Compliance Director

Date: August 15, 2006

Subject: DPD Code Enforcement Quarterly Report

Condominium Conversion Update

As we have reported previously, the boom in conversion of rental apartments to condominiums continues. The table below updates the figures we reported in June. We have received inspection applications for 1,423 units so far this year, almost equal to the number of units we inspected last year.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2004	32	30	53	16	22	46	123	61	0	31	13	3	430
2005	0	102	14	51	7	300	130	14	538	142	109	144	1551
2006	97	104	340	98	436	137	166	45					1423 y-t-d

Attached is a map that shows the location of the condo conversion applications we have received from January of 2004 through late July. As you will note, relatively few conversions have occurred recently in the northeast and southeast parts of town, and in West Seattle, as compared to Fremont, Ballard, Crown Hill, Green Lake, Queen Anne, and Capitol and First Hill neighborhoods. This reflects the location of multifamily zones around the city, and also reflects the relative overall economic activity and demand for housing in various neighborhoods. (New construction of condominiums, however, is not displayed on this map, nor would we be able to show it based only on permit data possessed by DPD—for permit approval purposes, we do not distinguish new rental from new condominium multifamily housing.)

Increase in Illegal Unit Violations

We have also seen an increase this year in illegal dwelling units. Over the past two years, we have confirmed 51 and 55 illegal dwelling unit violations each year. Thus far in

2006, we have confirmed 40 such violations: if the experience of the first part of this year continues unchanged, approximately a 30% increase in violations confirmed. While this may indicate an increase in the number of illegal units in existence, we are unable to know this conclusively since we do not receive complaints about all of them, and cannot always confirm a violation when a complaint is received if we are unable to obtain interior access to the unit or find other firm evidence.

Illegal dwelling units are those that are not authorized by permit, and many have housing code violations such as inadequate egress for emergency situations, inadequate light and ventilation, unsafe wiring, inadequate locks on doors and windows, and a variety of other health and safety violations. We have found illegal units recently in a garage, in basements, and in houses that have been divided up into multiple complete units.

Special Emphasis Housing Workgroup

The Special Emphasis Housing Workgroup is an interagency, inter-jurisdictional group established a few years ago to coordinate efforts to resolve recurring code violations caused by hoarders, especially those over age 60 or in need of special services. Participating agencies include DPD, Police, Fire, Aging and Disability Services, the Mayor's Office for Senior Citizens, Adult Protective Services, King County Mental Health, Public Health, and Law. The group is currently tracking about 20 individuals and their properties; in each case the individuals and properties have been the subject of complaints and prior code violations, which recur because of the syndrome typically associated with hoarding behavior. Participating agencies attempt to resolve the violations by convincing the individual to accept appropriate services, and to set up family and community support to maintain compliance.

Violation Lawsuits Recently Closed

When DPD is unable to achieve compliance through working with the property owner, we initiate legal action against the owner (or other responsible party) in an effort to compel compliance and collect penalties for noncompliance. At any time, we have about 120 cases being litigated, usually concerning rental housing conditions, land use violations (e.g. junk storage, illegal unit or illegal use), vacant building conditions, building or grading without a permit or not as authorized, or environmentally critical areas violations.

In the first 6 months of 2006, the Law Department closed enforcement cases at 57 properties: 34 of these had housing, land use, vacant building or abatement violations, and 23 had building, grading or critical areas violations. Penalties associated with these cases ranged from zero to \$40,000 for one vacant building case; we have collected over \$57,000 in penalties. In addition, outstanding judgments not collected but associated with these cases exceed \$700,000, primarily for cases not in compliance and in which the defendant did not respond to the lawsuit or failed to appear at trial or a hearing. We expect to collect only a portion of this total, however, due to factors such as pending bankruptcies, sale of properties and ultimately negotiations for compliance. In three abatement cases in which the city had to demolish or clean up the property, however, we

will collect through tax liens a total of \$60,606, which represents the city's costs for the abatements.

Code Violation Website Examples

We are developing a new feature on our website to provide photographs and information about chronic and egregious code violation cases, an interest expressed in the past. I have attached some examples from other jurisdictions to illustrate how they use the web to provide information about specific enforcement cases. You will note that typically the information includes the property address, a summary of the enforcement case, and photographs to illustrate the violations, and sometimes photos to illustrate site conditions after the violation is resolved. We will update you about this project at our next briefing; we hope to have it up and running by that time.